

GOVERNMENT OF ANDRHA PRADESH
ABSTRACT

Public Servants – APH&MS- Allegations of misappropriation of funds against Sri A.V. Satyanarayana Murthy, formerly worked as Junior Assistant, Rangaraya Medical College, Kakinada, E.G. District at the time of his reappointment as Accountant at Rangaraya Medical College, Kakinada, E.G. Dist – Disciplinary action initiated – Imposition of punishment of stoppage of 5% cut in pension permanently besides recovery of the misappropriation amount from his pension due – Orders – Issued.

HEALTH, MEDICAL & FAMILY WELFARE (VC1) DEPARTMENT

G.O.Ms.No.160

Dated:27 -12-2014

Read the following:-

1. From the Principal / Addl.Director, Rangaraya Medical College, Kakinada Lr.Rc.No.302/E2/RMC/2007, Dt.20-01-2011.
2. Judgment of the Hon'ble IV Additional Judicial 1st Class Magistrate, Kakinada, dt. 09-01-2007.
3. Decree from the Hon'ble Principal Senior Civil Judge, Kakinada in O.S.No.298/2007, Dt.03-02-2010
4. Letter No.PM2/III/Arrear claim/2010-2011/804, from the O/o Accountant General (A&E), AP, Hyd dt.23-09-2012.
5. Orders from Hon'ble APAT in OA No. 9273/2008, Dt.25-3-2011
6. Govt.Memo.No.1478/H1/2011-1, Dt.27-01-2011
7. Show cause Notice of Govt Memo No.13360/VC.III.2/2011-3, Dt. 22-11-2011.
8. Explanation of Sri A.V.Satyanarayana Murthy, Junior Asst (retired) dt. 3-12-2011.
9. From the Secretary, APPSC, Hyd Lr. No.542/RT/1/2012, Dt.09-10-2012.

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ORDER :-

Whereas it was brought to the notice of the Government vide reference 1st read above, that Sri A.V.Satyanarayana Murthy, Retired Junior Assistant, Rangaraya Medical College, Kakinada was re-appointed as Accountant with Rs.2200/- p.m. as salary at Men's Hostel, Rangaraya Medical College, Kakinada, E.G.District which is under Private Management under control of Chief Warden/Principal, Rangaraya Medical College, Kakinada, E.G.District and during his duty at Men's Hostel, Rangaraya Medical College, Sri A.V.Satyanarayana Murthy has involved in misappropriation of funds to a tune of Rs.3,84,979/- pertaining to Men's Hostel for which he was convicted and absconded from his duties from 10/2003.

2) In the reference 2nd read above, the Hon'ble IVth Additional First Class Magistrate Court, Kakinada in Criminal Case No. 302/2005 awarded Rigorous Imprisonment for eight (08) months to Sri A. V. Satyanarayana Murthy, Junior Assistant (Retired), Rangaraya Medical College, Kakinada, E.G.District.

3) In the reference 3rd read above, the Principal, Rangaraya Medical College, Kakinada has filed a Civil Case in the Hon'ble Principal Senior Civil Judge Court, Kakinada in O.S.No.298/2007 to recover the amount of Rs.3,84,979/- from the accused officer and also persons responsible. The Hon'ble Principal Senior Civil Judge, Kakinada in O.S.No.298/2007 has issued decree as follows:-

- (a) That the defendants to pay to the plaintiff as sum of Rs.4,10,242/- together with interest at the rate of 12% P.A., from 26-10-2006 the date of the suit till the date of decree i.e.,3-2-2010 and thereafter at 6% P.A. till realization on Rs.3,01,649/-
- (b) That the defendants do also pay to the plaintiff a sum of Rs.22096/- towards cost of this suit bearing 2nd defendants own costs of Rs.2082/-.

4) In the reference 5th read above, the orders of Hon'ble Andhra Pradesh Administrative Tribunal, in O.A No.9273 of 2008, dated.25-3-2011 filed by Sri A.V.Satyanarayana Murthy, Junior Assistant (Retired), are as follows:

“the respondent No.1. i.e. Principal, Rangaraya Medical College, Kakinada enclose and communicate the letter dated 17-8-2007 as well as letter dated:23-10-2010 to the fourth respondent (Government) within a period of one week from the date of receipt of a copy of this order and the 4th respondent is directed to pass appropriate orders with regard to payment of pension to the applicant in accordance with the AP Revised Pension Rules, 1980 within a period of six weeks thereafter”.

5) The Government, after careful examination, keeping in view of the Judgment of Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad, as well as the decree issued by the Principal Senior Civil Judge, Kakinada, have provisionally decided to impose a punishment of 5% cut in pension permanently under Rule 8 (1) (2) and Rule 9 of AP Revised Pension Rules, 1980 and recover the misappropriated amount of Rs.4,10,242/- (Rupees four lakhs ten thousand and two fourty two only) together with interest at the rate of 12% P.A. from 26-10-2006 the date of the suit till the date of decree i.e. 3-2-2010 and thereafter at 6% P.A. till realization on Rs.3,01,649/- and cost of Rs.22,096/- towards the suit from the pension due against Sri A.V.Satyanarayana Murthy, Junior Assistant (Retired), Rangaraya Medical College, Kakinada, E.G.District.

6) Accordingly, in the reference 7th read above, a show cause notice was issued to the Accused Officer. The Accused Officer has submitted his explanation where in he has agreed to pay the amount misappropriated by him vide reference 8th read above.

7) The Andhra Pradesh Public Service Commission, who were consulted for its concurrence for imposing the punishment against Sri A.V. Satyanarayana Murthy, Junior Assistant (Retired), Rangaraya Medical College, Kakinada, E.G.Dist, as mentioned above has agreed with the proposal of the Government vide reference 9th read above.

8) Accordingly, Government hereby order to impose the punishment of 5% cut in pension permanently under Rule 8(1) (2) and Rule 9 of AP Revised Pension Rules, 1980 against Sri A.V.Satyanarayana Murthy, Junior Assistant (Retired), Rangaraya Medical College, Kakinada, E.G.Dist besides recovery of misappropriated amount of Rs.4,10,242/- (Rupees four lakhs ten thousands and two hundred forty two only) together with interest at 12% P.A. from 26-10-2006 to 03-02-2010, the date of decree and thereafter at 6% P.A. till realization of Rs.3,01,649/- (Rupees three lakhs one thousand six hundred fourty nine only) and cost of Rs.22,096/- (Rupees Twenty Two thousand and ninety six only) towards the suit from the pension against Sri A. V. Satyanarayana Murthy, Junior Assistant (Retired) in this case.

9) The Director of Medical Education, Andhra Pradesh, Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L.V. SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri A.V.Satyanarayana Murthy, Junior Assistant (Retired) Rangaraya Medical College, Kakinada, E.G.Dist (Through the Director of Medical Education, A.P. Hyderabad)
The Accountant General, Andhra Pradesh, Hyderabad
The Director of Medical Education, Andhra Pradesh, Hyderabad
Copy to:

The Regional Director of Medical & Health Services, Rajahmundry
The Principal, Rangaraya Medical College, Kakinada
The Secretary, Andhra Pradesh Public Service Commission, Andhra Pradesh,
Hyderabad
Sf/sc

// FORWARDED:: BY ORDER//

SECTION OFFICER

